



The Comptroller General  
of the United States

Washington, D.C. 20548

## Decision

Matter of: Domation, Inc.  
File: B-228221  
Date: September 28, 1987

---

### DIGEST

A protest based on an alleged impropriety in the solicitation must be filed prior to bid opening, and a protester's lack of knowledge of the General Accounting Office Bid Protest regulations is no defense to a dismissal since the regulations are published in the Federal Register and protesters are charged with constructive notice of their contents.

---

### DECISION

Domation, Inc. protests the restrictive nature of solicitation No. DACA60-87-B-0044 which it alleges caused it not to submit a bid it otherwise would have. The bid opening occurred on September 17, 1987 and on September 21, 1987, the General Accounting Office received Domation's protest.

We dismiss the protest as untimely.

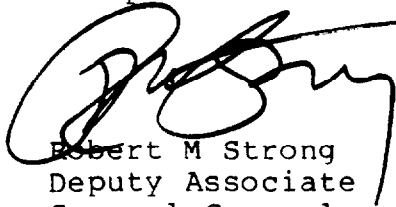
Our Bid Protest Regulations provide that protests based upon alleged improprieties in a solicitation which are apparent prior to bid opening or the closing date for receipt of initial proposals shall be filed prior to bid opening or the closing date for receipt of initial proposals. 4 C.F.R. § 21.2(a)(1) (1987).

Domation admits that its protest is untimely, but suggests that we consider the protest because it is inexperienced and was unaware of the proper procedures. However, we have consistently held that a protester's lack of knowledge of our regulations is no defense to a dismissal since our

040065

regulations are published in the Federal Register, and protesters are charged with constructive notice of their contents. Dontas Painting Co., B-226797, May 6, 1987, 87-1 CPD ¶ 484. This rule is clearly applicable here.

The protest is dismissed.



Robert M Strong  
Deputy Associate  
General Counsel